

# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
Only for Continuation or Divisional applications under 37 CFR 1.53(d)

CHECK BOX, IF APPLICABLE  
☐ DUPLICATE

|  |                        |               |
|--|------------------------|---------------|
| Address to:<br><br>Assistant Commissioner for Patents<br>Box CPA<br>Washington, D.C. 20231 | Attorney Docket No.    | 2328-111      |
|  | First Named Inventor   | Ari HINKKANEN |
|  | Express Mail Label No. |               |
|  | Total Pages            | 8             |

This is a request for a continuation application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number **09/015,399** filed on **29 January 1998** entitled **A NEW FUSION PROTEIN AND ITS USE IN AN IMMUNOASSAY FOR THE SIMULTANEOUS DETECTION OF AUTOANTIBODIES RELATED TO INSULIN-DEPENDENT DIABETES MELLITUS.**

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☒ Enter the unentered amendment previously filed on 25 May 2000 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney for authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

06/01/2000 CV0111 00000077 09015399

01 FC:131

690.00 OP

| CLAIMS | (1) FOR                                  | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE<br>(Large Entity) | (5) CALCULATIONS |
|--------|--|------------------|------------------|----------------------------|------------------|
|        | TOTAL CLAIMS                             | 14-20 =          |                  | X \$ 18.00 =               | \$               |
|        | INDEPENDENT CLAIMS                       | 2 - 3 =          |                  | X \$ 78.00 =               |                  |
|        | MULTIPLE DEPENDENT CLAIM (if applicable) |                  |                  | + \$260.00 =               |                  |
|        |  |                  |                  | BASIC FEE                  | \$ 690.00        |
|        |  |                  |                  | TOTAL =                    | \$ 690.00        |


6. Small entity status:
- ☐ A small entity statement is enclosed.
  - ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - ☐ is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-2135.
- ☒ Fees required under 37 CFR 1.16.
  - ☒ Fees required under 37 CFR 1.17.
  - ☐ Fees required under 37 CFR 1.18
8. ☒ A check in the amount of **\$1,070.00** is enclosed.
9. ☒ Other: Petition for Extension of Time with fee of \$380.00  
Fee Transmittal with combined check of \$1,070.00

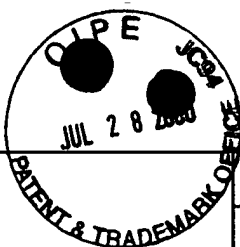
**NOTE:** *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

#### 10. NEW CORRESPONDENCE ADDRESS

|  |  |           |  |          |              |
|--|--|-----------|--|----------|--------------|
| <input type="checkbox"/> Customer Number or Bar Code Label         |  |           | or <input type="checkbox"/> Correspondence address below |          |              |
| <small>(Insert Customer No. or Attach bar code label here)</small> |  |           |  |          |              |
| Name   | Stephen A. Saxe  |           |  |          |              |
| Address  | Rothwell, Figg, Ernst & Manbeck<br>Suite 701-East, 555 13th Street, N.W. |           |  |          |              |
| City   | Washington   | State     | D.C.   | Zip Code | 20004        |
| Country  | U.S.A.   | Telephone | 202-783-6040   | Fax      | 202-783-6031 |

#### 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                    |   |
|--------------------|---|
| NAME & REG. NUMBER | Stephen A. Saxe, Ph.D., Reg. No. 38,609   |
| SIGNATURE          |  |
| DATE               | 28 July 2000  |



BOX CPA

GAU1644 CPA

| <b>FEE TRANSMITTAL</b><br><br><b>(Large Entity)</b> |             | Complete if Known      |                 |
|---|-------------|------------------------|-----------------|
|   |             | Application Number     | 09/015,399      |
|   |             | Filing Date            | 29 January 1998 |
|   |             | First Named Inventor   | Ari HINKKANEN   |
|   |             | Group Art Unit         | 1644            |
|   |             | Examiner Name          | M. Lubet        |
| Total Amount of Payment                             | (\$1,070.00 | Attorney Docket Number | 2328-111        |

**METHOD OF PAYMENT** (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge for the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed: Check

**FEE CALCULATION****1. FILING FEE**

| Fee Description  | Fee Code | Fee Paid      |
|--|----------|---------------|
| <input checked="" type="checkbox"/> Utility Filing Fee | 101      | 690           |
| <input type="checkbox"/> Design Filing Fee             | 106      | 310           |
| <input type="checkbox"/> Plant Filing Fee              | 107      | 480           |
| <input type="checkbox"/> Reissue Filing Fee            | 108      | 690           |
| <input type="checkbox"/> Provisional Filing Fee        | 114      | 150           |
| <b>SUBTOTAL</b>  |          | <b>\$ 690</b> |

**2. CLAIMS**

|                           |           | Fee from |       |   |          |
|---------------------------|-----------|----------|-------|---|----------|
|                           |           | Extra    | below |   | Fee Paid |
| Total Claims              | 14 - 20 = | x        | \$18  | = |          |
| Independent Claims        |           |          |       |   |          |
| Claims                    | 2 - 3 =   | x        | 78    | = |          |
| Multiple Dependent Claims |           | +        | 260   | = |          |

**SUBTOTAL \$****FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

| Fee Description   | Fee Code | Fee Paid |
|---|----------|----------|
| <input type="checkbox"/> Surcharge - late filing fee or oath  | 105      | 130      |
| <input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet                     | 127      | 50       |
| <input type="checkbox"/> Non-English specification  | 139      | 130      |
| <input type="checkbox"/> For filing a request for reexamination                                     | 147      | 2,520    |
| <input type="checkbox"/> Requesting publication of SIR prior to Examiner action                     | 112      | 920      |
| <input type="checkbox"/> Requesting publication of SIR after Examiner action                        | 113      | 1,840*   |
| <input type="checkbox"/> Extension for reply within first month                                     | 115      | 110      |
| <input checked="" type="checkbox"/> Extension for reply within second month                         | 116      | 380      |
| <input type="checkbox"/> Extension for reply within third month                                     | 117      | 870      |
| <input type="checkbox"/> Extension for reply within fourth month                                    | 118      | 1,360    |
| <input type="checkbox"/> Extension for reply within fifth month                                     | 128      | 1,850    |
| <input type="checkbox"/> Notice of Appeal   | 119      | 300      |
| <input type="checkbox"/> Filing a brief in support of an appeal                                     | 120      | 300      |
| <input type="checkbox"/> Request for Oral Hearing   | 121      | 260      |
| <input type="checkbox"/> Petition to institute a public use proceeding                              | 138      | 1,510    |
| <input type="checkbox"/> Petition to revive - unavoidable   | 140      | 110      |
| <input type="checkbox"/> Petition to revive - unintentional   | 141      | 1,210    |
| <input type="checkbox"/> Utility issue fee (or reissue)   | 142      | 1,210    |
| <input type="checkbox"/> Design issue fee   | 143      | 430      |
| <input type="checkbox"/> Plant issue fee  | 144      | 580      |
| <input type="checkbox"/> Petitions to the Commissioner  | 122      | 130      |
| <input type="checkbox"/> Petitions related to provisional applications                              | 123      | 50       |
| <input type="checkbox"/> Submission of Information Disclosure Statement                             | 126      | 240      |
| <input type="checkbox"/> Recording each patent assignment per property (times number of properties) | 581      | 40       |
| <input type="checkbox"/> Filing a submission after final rejection (37 CFR 1.29(a))                 | 146      | 690      |
| <input type="checkbox"/> For each additional invention to be examined (37 CFR 1.129(b))             | 149      | 690      |

Other fee (specify)

[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$380**

| SUBMITTED BY         |   | Complete (if applicable) |              |                         |         |
|----------------------|---|--------------------------|--------------|-------------------------|---------|
| NAME AND REG. NUMBER | Stephen A. Saxe, Ph.D., Reg. No. 38,609 |                          |              |                         |         |
| SIGNATURE            | <i>Stephen A. Saxe</i>                  | DATE                     | 28 July 2000 | DEPOSIT ACCOUNT USER ID | 02-2135 |